

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**UNITED STATES OF AMERICA,**

**VS.**

**CRIMINAL ACTION NO. 2:08CR058-P-S**

**DAVID WALLACE GARRISON,**

**DEFENDANT.**

**ORDER**

These matters came before the court upon the defendant's four motions *in limine* filed on July 26 and 27, 2008 prior to trial of this matter which began on July 28, 2008 and ended with a jury verdict of guilty on all counts on July 30, 2008. After consideration of the motions during trial, the court in effect granted the first motion *in limine* by allowing defense counsel to voir dire the Government's expert, Keith Haney. The court during trial denied the third and fourth motions *in limine*. With regard to the second motion *in limine* for early release of Jencks materials, the court deems this motion moot.

**IT IS THEREFORE ORDERED AND ADJUDGED that:**

- (1) Defendant's first motion *in limine* for an evidentiary hearing with respect to purported expert [12] was **GRANTED** during trial;
- (2) Defendant's second motion *in limine* for early release of Jencks material [13] is **DENIED AS MOOT**;
- (3) Defendant's third motion *in limine* to suppress mention of "phantom" materials was **DENIED** at trial; and
- (4) Defendant's fourth motion *in limine* to challenge undisclosed expert testimony was

**DENIED** at trial.

**SO ORDERED** this the 28<sup>th</sup> day of August, A.D., 2008.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE